



Brownfield Planning Board  
82 Main Street  
Brownfield, Maine 04010  
207-935-2007 ext. 201

Minutes of December 3, 2019

Members present: Sonia Frye (Chairperson), Kurt Wood (Vice-Chairman), Judi Tordo (alternate), Deb Merrill, John Rice, Mitch Dondero (alternate) and Doug Heroux.

No members were absent.

Others present: Pam Thomas (Secretary), Linda Pestilli, Bill Flynn (selectman), Ray Vellucci, Debra Vellucci, David Brown, Lori Tallman, Daniel Donlon, Maria and Joseph Manning and Richard Perreault ( Fire Chief).

With Five members present, a quorum did exist and business could be conducted.

The meeting was called to order at 7:00.

A Public Hearing for Joseph and Maria Manning was called to order by the chair. The proposed name of the business as submitted on the application is Taste of June, the Manning's have changed the name and have registered their proposed business as Mountain Treehouse Kombucha LLC. The Manning's provided an addendum to the application reflecting the change. The applicants EIN was submitted.

Members conducted a site visit on November 25<sup>th</sup> at noon. Members met at the town office and proceeded to the proposed site of the business. Members present at the site visit were: Sonia Frye (Chairperson), Deb Merrill, Mitch Dondero, (alternate) John Rice and Doug Heroux.

Members absent at the site visit were: Kurt Wood (Vice-Chairman) and Judi Tordo (alternate). The site visit concluded at 12:45.

The chair asked if members had observations that they would like to share from the site visit. John asked the applicants what they were using the second floor of the proposed business for to which they answered that the second floor is an in-law apartment. When asked if they had a permit for the apartment the applicants stated that they have a building permit. The chair stated that the upstairs in-law apartment has nothing to do with the business. No other observations were noted. The application was read to all present.

The Fire Chief of the Brownfield Volunteer Fire Department submitted a letter showing that 4.9 f. requirement has been met, this letter included the locations of the nearest fire protection sources. The letter is in the Manning's file.

The Brownfield Land Use Ordinance 4.9 requirements a. through j. with applicant's proof of sufficient evidence for each were read into the record.

After reading the application the chair asked if any residents / landowners attending had any concerns.

Lori Tallman stated that she lives three (3) houses away from the property and asked if this was a retail business, asking about the hours of operation listed as 6.a.m to 9 p.m.

The applicants replied that the hours listed are production time, they may open one Saturday a month from 9 a.m. to 12 p.m. to the public for tastings etc. and explained that they were instructed to include all hours that they may be producing the Kombucha / foods.

Numerous and repetitive concerns were brought up by residents that follow:

Lori: The Bridge is out and the road is in poor condition. No sidewalks, children walk on that road. (Noted at the meeting that there are no sidewalks in Brownfield).

Daniel: What ingredients will be used, will the ingredients be grown on the property or will they be trucked in, how the trucks will come to your house, how many trucks a day.

Marias' reply: UPS deliveries with less than one (1) truck a day.

Daniel: Had concerns about speed and volume of traffic.

Josephs reply: This business is small, a six hundred (600) square foot space.

The residents were reminded that there is no zoning in Brownfield (There is Shoreland Zoning).

Daniel: Are you selling this product to children?

The Kombucha product as explained by the applicants does contain less than 0.5 % alcohol which under Federal Law is not considered alcohol, this is not an alcoholic product.

The chair stated that some of the ingredients used to make Kombucha will be grown on their property, berries etc.

Joseph and Maria stated that the sugar, juices and teas will be brought in.

Residents were reassured that this business, at this time is restricted in size, if they want to change the business for example in size, they will need to come back to the Planning Board for permission.

Debra V. - I am an abutter and our driveways look the same and people looking for the Kombucha business may use my driveway by mistake. Debra requested that the Manning's place a sign at the end of their driveway.

Joseph asked if they were allowed to place a sign at the end of their driveway. Signs are allowed with the exception of requirement 4.9 i. that requires that there be no strong lighting).

Debra V. How many employees?

Joseph: Just Maria and myself.

Debra: How many bottles?

Joseph: Hard to say, we cannot produce Kombucha fast.

Judy: What size containers do you use?

Joseph: Two (2) gallon.

Deb M: How big a vehicle will you be using? (For deliveries)

Joseph: One (1) Van Load a day, any bigger and we would need a bigger facility. Each batch of Kombucha takes ten (10) days. The highest would be two hundred (200) a day and we can fit that amount in a car. The space is 20 by 32.

Lori: There are no regulations?

Sonia: Yes, the Brownfield Land Use Ordinance 4.9 a. through j. Concerns again rose concerning the roadway.

Sonia again explained that there is no zoning in Brownfield.

Joseph understood the concerns and stated that they do not plan to change the complexion of the neighborhood.

Each requirement was read and voted on.

- a. Access to the site from existing and proposed roads is safe and adequate. The proposed use will not cause or aggravate undue traffic congestion. Off-street parking and loading facilities will accommodate anticipated business at all times.

Deb made a motion that was seconded by Kurt that requirement a. has been met.

Vote 3-2-0 Doug and John voted against the requirement being met.

- b. The site design is in conformance with all flood hazard protection regulations.

Deb made a motion that was seconded by Doug that requirement b. has been met.

Vote. 5-0-0

- c. Adequate provision for the transportation, storage, and disposal of any solid waste and hazardous matter has been made.

Kurt made a motion that was seconded by Doug that requirement c. has been met.

Vote: 5-0-0.

- d. A storm water drainage system capable of handling a 25-year storm without adverse impact on adjacent properties has been designed.

Deb made a motion that was seconded by Kurt that requirement d. has been met.

Vote: 5-0-0

- e. An erosion and sedimentation control plan has been formulated.

Deb made a motion that was seconded by Kurt that requirement e. has been met.

Vote: 5-0-0

f. There is adequate water supply to meet the demands of the proposed use, and for fire protection purposes.

Deb made a motion that was seconded by Doug that requirement f. has been met.

Vote: 5-0-0

g. No water pollution will be caused.

Deb made a motion that was seconded by Kurt that requirement g. has been met.

Vote: 5-0-0

h. Where a potential safety hazard to children would be likely to arise, physical screening sufficient to deter children from entering the premises shall be provided and maintained.

Deb made a motion that was seconded by Kurt that requirement h. has been met.

Vote: 5-0-0

i. Strong light or reflection of that light will not travel to residential properties or onto any public way so as to impair the vision of any motor vehicle driver.

Deb made a motion that was seconded by Kurt that requirement i. has been met.

Vote: 5-0-0

j. The commercial/industrial activity will take place at least 100 feet from the nearest dwelling.

Deb made a motion that was seconded by Kurt that requirement i. has been met.

Vote: 5-0-0

The chair stated that the requirements of a. through j. have been met.

No permits/ licenses and / or certificates required by the Federal, State and County have been submitted and this is required by the Planning Board. The application was tabled for additional information.

Daniel requested that the Manning's have a survey of their property done and hire a hydrologists engineer .Daniel also suggested that the town place a speed limit sign at the crest of the hill.

Daniel was informed that he needs to contact the Selectmen and /or DOT for that request.

Motion To: Close the Public Hearing  
Made by: Deb  
Seconded by: John  
Vote: 5-0-0

Motion To: Accept the minutes of November 12  
Made by: Deb  
Seconded by: John  
Vote: 5-0-2  
Judy and Mitch abstained, they were not present at the meeting.

Motion To: Submit and allow payment (\$63.79) for the 2019 Maine Land Use Law Booklet to Southern Maine Planning and Development Commission.  
Made by: Kurt  
Seconded by: John  
Vote: 7-0-0

Sonia reminded members that the Public Hearing for the proposed changes to the Brownfield Shoreland Zoning Ordinance will be taking place on Thursday, December 5<sup>th</sup>, 6:30 at the Brownfield Community Center.

Motion To: Submit and allow payment (\$155.00) for maps printed at Minuteman Press to use for zoning purposes.  
Made by: Deb  
Seconded by: Judi

Vote: 7-0-0

The invoices were signed by the chair and will be submitted to the Town Clerk.

Motion To: Adjourn

Made by: Kurt  
Seconded by: Deb  
Vote: 7-0-0

The meeting adjourned at 8:25.

Submitted by,

Chair,

Pam Thomas

Sonia Frye